

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Thomas M. Collins et al.                      Art Unit : 2155  
Serial No. : 09/855,584                                      Examiner : Alicia Baturay  
Filed : May 16, 2001                                      Conf. No. : 1405  
Title : METHOD AND APPARATUS FOR DISTRIBUTING OF E-MAIL TO  
MULTIPLE RECIPIENTS

**Mail Stop Appeal Brief - Patents**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

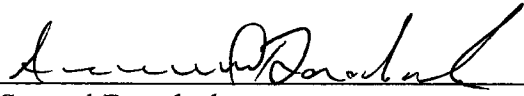
Please replace section (5) of the Appeal Brief filed November 11, 2008 with the enclosed revised section (5).

Applicant thanks Patent Appeal Center Specialist Lashawn Hinton for the telephone conference with applicants' representative to clarify the changes requested by the PTO in connection with the Appeal Brief. Revised section (5) summarizes independent claims 52, 57, 62, and 67 in separate sub-sections.

Please apply any charges or credits to Deposit Account No. 06-1050, referencing 21175-0002001.

Respectfully submitted,

Date: 12/18/08

  
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**(5) Summary of Claimed Subject Matter**

Independent claim 6 with dependent claims 40-43

Claim 6 recites an article comprising a machine-readable medium storing machine-readable instructions that, when executed by the machine, cause the machine to perform the following operations:

A sender is enabled to input a message, append an attachment to the message and to designate at least one recipient to receive the message and the attachment, and to designate at least one recipient to receive the message without the attachment.

A recipient is enabled to create and edit a reception profile, which includes the recipient's preferences with regard to receipt of prospective attachments.

The message is transmitted over a network from the sender to the recipients.

For any recipient whose reception profile specifies not to receive an attachment, the message is transmitted from the sender to the recipient without the attachment regardless of whether the sender designated the recipient to receive the message with or without the attachment.

For any recipient whose reception profile specifies to receive an attachment, the message is transmitted to the recipient from the sender with the attachment, if the sender designated the recipient to receive the message with the attachment.

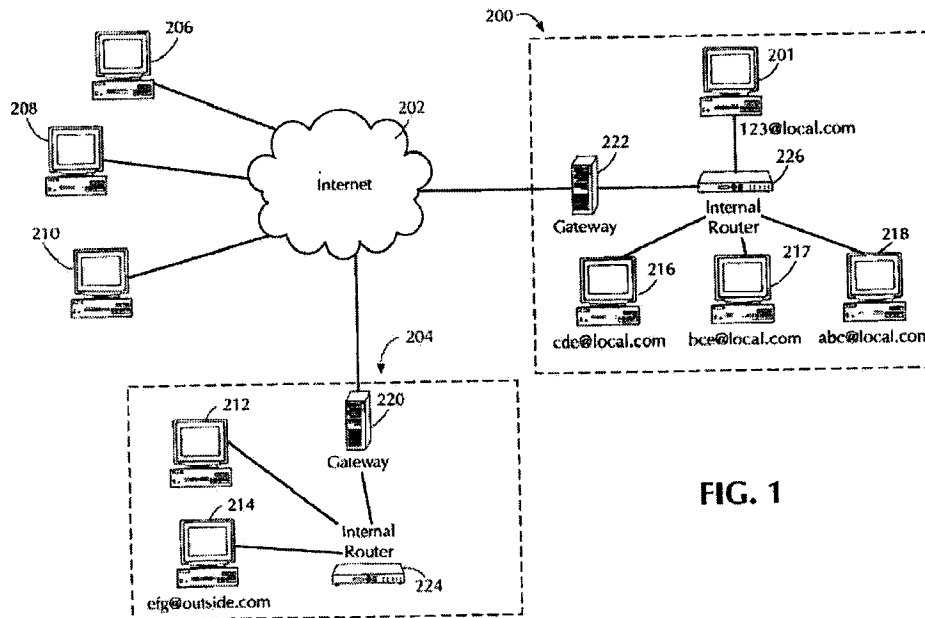


FIG. 1

As an example, e-mail transmission in a multi-network environment is disclosed in connection with FIG. 1 of the Application (reproduced above). A sender uses, for example, the sender computer 201 in a local area network 200 to input the message and to designate recipients. The recipients can be located at potential recipient computers 216-218 in the same local area network 200, at potential recipient computers 212 and 214 in another local area network 204 connected via the Internet 202 to the local area network 200, or at recipient computers 206-210 connected directly via the Internet 202 to the local area network 200.

The reception profile prevents transmission of an attachment from the sender computer 201 to a recipient computer of a recipient who has specified not to receive an attachment. However, the reception profile does not prevent transmission of an e-mail with an attachment if a) the sender designated the recipient to receive the attachment and b) the reception profile of the respective recipient specifies the recipient to receive such an attachment.

Thereby, the local area networks 200 and 204 and the Internet 202 are loaded with transmission of the attachment only if the reception profile is specified accordingly. If the reception profile does not so specify, the sender computer 201 will not load the attachment to the local area network 200.

Features of claim 6 are disclosed throughout the specification. For example, a sender computer 201 includes an e-mail program (*see* Specification, at page 11, ll. 25-27) that allows a user to attach a file (*see, Id., e.g.,* at pages 14, l. 13 – page 15, l. 21) and to designate which recipients should receive attached files (*see Id.,* at page 14, ll. 2-4).

Potential recipients can further form a reception profile including reception options with regard to receipt of attachments such as attachment size and time frame. (*See Id.,* at page 20, ll. 18-30.)

The reception profile influences the transmission process at the sender-side, *e.g.,* "the manner in which e-mail moves within and among networks." (*See Id., e.g.,* pages 12 and 13, at page 20, ll. 18-30, and at page 21, ll.16-25.)

Dependent claims 40 and 41 recite features regarding creating and editing the reception profile and preventing receipt of prospective attachments, and dependent claims 42 and 43 recite specific features regarding editing the reception profile to specify an attachment size and time frame. (*See Id.,* at page 20, ll. 18-30.)

Independent claim 17 with dependent claims 44-47

Claim 17 recites an apparatus to transmit electronic mail from a sender to recipients. The apparatus comprises a port for coupling the apparatus to a network, and a processor. The processor is configured to enable means for a sender to append an attachment to an electronic mail message, to enable means for the sender to designate at least one recipient to receive the message with the attachment, to enable means for the sender to designate at least one recipient to receive the message without the attachment, to enable means for a recipient to create and edit a reception profile, and to enable means to transmit the electronic mail message over the network from the sender to the recipients. The reception profile includes the recipient's preferences with regard to receipt of prospective attachments. The message is transmitted from the sender without the attachment to any recipient whose reception profile specifies not to receive an attachment, regardless of whether the sender designated the recipient to receive the message with or without the attachment. If the sender designated the recipient to receive the message with the

attachment, the message is transmitted from the sender with the attachment to any recipient whose reception profile specifies to receive an attachment.

Dependent claims 44-47 recite features regarding the reception profile.

For a discussion of an example of the apparatus, applicant refers to the explanations above in connection with claim 6.

The means for a sender to append an attachment to an electronic mail message, the means for the sender to designate at least one recipient to receive the message with the attachment, the means for the sender to designate at least one recipient to receive the message without the attachment, and the means for a recipient to create and edit a reception profile can include the e-mail program with the interface, which runs, for example, on the sender computer 201 or any of the recipient computers. (*See, e.g.*, Specification, at page 20, ll. 18-30.) The means to transmit the electronic mail message over the network can include the e-mail program with the interface, the LANs 200 and 204, and/or the Internet 202. (*See Id.*, *e.g.*, at page 11, l. 23 – page 13, l. 29.)

Independent claim 23 with dependent claims 48-51

Claim 23 recites a method for transmitting electronic mail from a sender to recipients. The method comprises inputting a message, appending an attachment to the message, designating at least one recipient to receive the message and the attachment, designating at least one recipient to receive the message without the attachment, enabling a recipient to create and edit a reception profile, and transmitting the message over a network from the sender to the recipients. The profile includes the recipient's preferences with regard to receipt of prospective attachments. The message is transmitted from the sender without the attachment to any recipient whose reception profile specifies not to receive an attachment, regardless of whether the sender designated the recipient to receive the message with or without the attachment. If the sender designated the recipient to receive the message with the attachment, the message is transmitted from the sender with the attachment to any recipient whose reception profile specifies to receive an attachment.

Dependent claims 48-51 recite features regarding the reception profile.

For a discussion of an example of the method, applicant refers to the explanations above in connection with claim 6.

Independent claim 29

Claim 29 recites a program-controlled apparatus operable to communicate via e-mail with one or more recipient computers. The apparatus is configured to allow a user of the apparatus to perform the following operations: input a message, append an attachment to the message, designate at least one recipient of the plurality of recipients to receive the message and the attachment, designate at least one recipient to receive the message without the attachment, enable a recipient to create and edit a reception profile, and transmit the message over a network from the sender to the recipients. The profile includes the recipient's preferences with regard to prospective receipt of attachments. The message is transmitted from the sender without the attachment to any recipient whose reception profile specifies not to receive an attachment, regardless of whether the sender designated the recipient to receive the message with or without the attachment. If the sender designated the recipient to receive the message with the attachment, the message is transmitted from the sender with the attachment to any recipient whose reception profile specifies to receive an attachment.

For a discussion of an example of the program-controlled apparatus, applicant refers to the explanations above in connection with claim 6.

Independent claim 52 with dependent claims 53-56

Claim 52 recites an article comprising a machine-readable medium storing machine-readable instructions that, when executed by the machine, cause the machine to perform the following operations:

A sender is enabled to input a message, to append an attachment to the message, to designate at least one recipient of a plurality of recipients to receive the message and the attachment, and to designate at least one recipient of the plurality of recipients to receive the message without the attachment.

A recipient is enabled to create and edit a reception profile, which includes the recipient's preferences with regard to receipt of prospective attachments.

The message is transmitted over a network from the sender to the recipients.

For any recipient whose reception profile specifies not to receive an attachment, the message is transmitted from the sender to the recipient without the attachment, even though the sender designated that recipient to receive the message with the attachment.

For any recipient whose reception profile specifies to receive an attachment, the message is transmitted from the sender to the recipient with the attachment, if the sender designated the recipient to receive the message with the attachment.

Independent claim 52 is similar to independent claim 6 except that claim 52 recites that "the message is transmitted from the sender without the attachment to any recipient whose reception profile specifies not to receive an attachment, even though the sender designated that recipient to receive the message with the attachment." Thus, claim 52 recites "even though" whereas claim 6 recites "regardless of whether."

Dependent claims 53-56 recite features regarding the reception profile.

For a discussion of an example of the article, applicant refers to the explanations above in connection with claim 6.

Independent claim 57 with dependent claim 58-61

Claim 57 recites an apparatus to transmit electronic mail from a sender to a plurality of recipients. The apparatus comprises a port for coupling the apparatus to a network, and a processor. The processor is configured to enable means for a sender to append an attachment to an electronic mail message, to enable means for the sender to designate at least one recipient to receive the message with the attachment, to enable means for the sender to designate at least one recipient to receive the message without the attachment, to enable means for a recipient to create and edit a reception profile, and to enable means to transmit the electronic mail message over the network from the sender to the recipients. The reception profile includes the recipient's preferences with regard to receipt of prospective attachments. The message is transmitted from the sender without the attachment to any recipient, whose reception profile specifies not to

receive an attachment, even though the sender designated that recipient to receive the message with the attachment. If the sender designated the recipient to receive the message with the attachment, the message is transmitted from the sender with the attachment to any recipient whose reception profile specifies to receive an attachment.

Independent claim 57 is similar to independent claim 17, except that claim 57 recites that "the message is transmitted from the sender without the attachment to any recipient, whose reception profile specifies not to receive an attachment, even though the sender designated that recipient to receive the message with the attachment." Thus, claim 57 recites "even though" whereas claim 17 recites "regardless of whether."

Dependent claims 58-61 recite features regarding the reception profile.

For a discussion of an example of the apparatus, applicant refers to the explanations above in connection with claim 6.

The means recited in claim 57-61 include the corresponding features as explained in connection with claims 17 and 44-47.

Independent claim 62 with dependent claims 63-66

Claim 62 recites a method for transmitting electronic mail from a sender to a plurality of recipients. The method comprises inputting a message, appending an attachment to the message, designating at least one recipient of the plurality of recipients to receive the message and the attachment, designating at least one recipient of the plurality of recipients to receive the message without the attachment, and enabling a recipient to create and edit a reception profile. The reception profile includes the recipient's preferences with regard to receipt of prospective attachments. The message is transmitted over a network from the sender without the attachment to any recipient, whose reception profile specifies not to receive an attachment, even though the sender designated that recipient to receive the message with the attachment. If the sender designated the recipient to receive the message with the attachment, the message is transmitted from the sender with the attachment to any recipient whose reception profile specifies to receive an attachment.



Independent claim 62 is similar to independent claim 23, except that claim 62 recites that "the message is transmitted from the sender without the attachment to any recipient, whose reception profile specifies not to receive an attachment, even though the sender designated that recipient to receive the message with the attachment." Thus, claim 62 recites "even though" whereas claim 23 recites "regardless of whether."

For a discussion of an example of the method, applicant refers to the explanations above in connection with claim 6.

Dependent claims 63-66 recite features regarding the reception profile.

Independent claim 67 with dependent claims 68-71

Claim 67 recites a program-controlled apparatus operable to communicate via e-mail with one or more recipient computers. The apparatus is configured to allow a user of the apparatus to perform the following operations: input a message, append an attachment to the message, designate at least one recipient of the plurality of recipients to receive the message and the attachment, designate at least one recipient of the plurality of recipients to receive the message without the attachment, and enable a recipient to create and edit a reception profile. The profile includes the recipient's preferences with regard to prospective receipt of attachments. The message is transmitted over a network from the sender without the attachment to any recipient, whose reception profile specifies not to receive an attachment, even though the sender designated that recipient to receive the message with the attachment. If the sender designated the recipient to receive the message with the attachment, the message is transmitted from the sender with the attachment to any recipient whose reception profile specifies to receive an attachment.

Independent claim 67 is similar to independent claim 29, except that claim 67 recites that "the message is transmitted from the sender without the attachment to any recipient, whose reception profile specifies not to receive an attachment, even though the sender designated that recipient to receive the message with the attachment." Thus, claim 67 recites "even though" whereas claim 29 recites "regardless of whether."

For a discussion of an example of the program-controlled apparatus, applicant refers to the explanations above in connection with claim 6.

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Dependent claims 68-71 recite features regarding the reception profile.

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